

Draft

Wed. April 11th 10:30am to 12pm Meeting with Butte Community (ROCC and CTEC)

Agenda

Talking Points

Progress

1. The Berkeley Pit. The recent decisions by MRI and BP/ARCO to begin treating water earlier than required and to seriously address the issue of scaling related to the release of water into Silver Bow Creek should allay most of the concerns citizens have had about the Pit remedy. This development is significant progress. EPA approved the conceptual plan (pilot project) to treat Berkeley Pit water on February 27, 2018. EPA is currently reviewing submittals of the Remedial Action Adequacy Review including: Phase II Optimization Study WP, Quality Assurance Project Plan, and Phase I Water Balance Report. The schedule for the RAAR runs parallel to the Pilot Project and each will provide solutions to discharge clean water to SBC.

2. Environmental Justice. Several months ago, Robert Moler of the Montana Office of EPA and I produced a brochure entitled "Be Contaminant Smart." (Mr. Benevento has a copy of this.) Even after the Superfund remedy is in place in Butte, toxic waste will remain. This brochure's purpose is to give citizens some practical tips for protecting themselves and their families from exposure to and harm from the waste left behind. Over 7000 brochures have been directly distributed to individuals and firm plans call from the distribution of several thousand more. Mr. Moler and I have spoken to service groups and organizations and have several more engagements in the next few months. This brochure and the distribution campaign surrounding it have been very successful and illustrate a collaborative partnership between citizens and the EPA. A particular target of this outreach effort is uptown Butte which has a disproportionate number of low-income citizens and constitutes an environmental justice constituency. Uptown Butte is the site of the Butte Priority Soils Operable Unit. Work with Dr. Ray will continue. He has been asked to be a lead in the Health Study concerning EJ. Also, EPA will continue to provide support of the brochures and there distribution.

3. New Atmosphere. The Montana Office has been very forthcoming toward the public in the last several months and helped to create a new openness to and trust in the agency. I wish to particularly cite the efforts of Robert Moler, Allie Archer, Nikia Greene, Joe Vranka and Henry Elsen in the Montana Office. Collaboration is much better than confrontation and these individuals have been instrumental in advancing the EPA goal of full citizen involvement. Much of the credit also goes to Mr. Benevento who has made a very positive impression during his visits to Butte. The cleanup appears to be moving in a positive direction and expectations are exceedingly high. Hopefully, this public optimism will show itself to have been warranted by the content of the decisions that are soon to be made and announced. My hope is that the public optimism holds out. We need to release information asap per the AIP.

Outstanding Issues:

1. The Butte Health Study. This study is mandated by EPA. Special outreach to low income citizens in the area of the health study needs to be finalized. Low-income citizens need to be part of the planning and execution of this study and special attention needs to be given to the detrimental effects of exposure to the toxics of concern at BPSOU on low-income citizens. The first Health Study in Butte showed BLL trending down. The second Health Study is due in June of 2019. We have started the scoping with the community and have asked John Ray to lead a sub-committee concerning EJ.

2. Westside Priority Soils. There must be a complete investigation of the nature and extent of

contamination in the area of Butte called the "Flat" that is currently excluded from the Westside Priority Soils OU. Anecdotal evidence exists that there is contamination present in the area that is a result of past mining activity in Butte and Anaconda (Smelter). This needs to be addressed EPA is currently evaluating the expansion of the RMAP (soils program) to include the flats. The RMAP (attic dust program) does already include the flats. Additionally, investigations have started and will continue in 2018 to determine the nature and extent of WSSOU.

3. Montana Pole Plant. This is a federal Superfund site although the lead agency is the Montana Department of Environmental Quality. Dioxin remains an unaddressed threat at the site and needs to be cleaned up. Future land use issues are unresolved. Cleanup cost issues, i.e. will there be enough money for a comprehensive cleanup, are problematic. State MDEQ is the lead for MPTP and is currently designing a remedy (cap) for the remaining Dioxin contamination. EPA will provide support and oversight, to ensure that the remedy is protective and end land use is congruent with BSB/community vision and intention to the extent practicable.

4. Restore Our Creek. Support has been expressed by EPA for the Restore Our Creek Vision for Silver-Bow Creek. This support must be translated into action. As much tailings removal as feasible must be accomplished under remedy, not restoration. Once CD parties can release information, EPA is confident that the community will be encouraged about what is implemented under remedy.

5. Secrecy. As quickly as possible, the terms and conditions of the recent agreement in principle between EPA and the responsible parties for the cleanup of Butte need to be made known to the public. Full opportunity needs to be afforded the public for meaningful comment on this agreement. Secrecy has hurt EPA credibility. Secrecy is inimical to public participation in Superfund decision making and to public accountability. Agreed, as quickly as possible information approved by the judge should be released. There will be two formal public comment periods 1 for the Proposed Plan and 1 for the CD. During this process in 2018, there will be several other community engagements.

I purposely left off of this list the agreement in principle itself which is a major accomplishment. Whether it is a positive or negative document depends on what is in it. Hopefully, that will become public quickly. Agreed

Of course other issues remain. From my perspective, the above are the most important. I look forward to hearing your comments.